

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, MAY 29, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
John R. Byers, Mount Vernon District  
Frank de la Fe, Hunter Mill District  
Joan M. DuBois, Dranesville District  
Janet R. Hall, Mason District  
Suzanne F. Harsel, Braddock District  
John B. Kelso, Lee District  
Ronald W. Koch, Sully District  
Ilryong Moon, Commissioner At-Large  
Peter F. Murphy, Jr., Springfield District  
Linda Q. Smyth, Providence District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:17 p.m. by Chairman Peter F. Murphy, Jr.

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**COMMISSION MATTERS**

Commissioner Kelso announced that the School Facilities Committee would meet on Wednesday, June 12, 2002, at 7:30 p.m. in the Board Conference Room.

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Commissioner Kelso, to allow further time for review by the Washington Metropolitan Area Transit Authority, MOVED TO DEFER THE PUBLIC HEARING ON RZ-1998-LE-064, SEA-91-L-054-3, SEA-91-L-053-4, AND SE-01-L-020, SPRINGFIELD EAST, LC, TO A DATE CERTAIN OF JUNE 13, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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**FS-Y01-50 - VOICESTREAM - 14900 Conference Center Drive**

Commissioner Koch MOVED THAT WE CONCUR WITH THE DIRECTOR'S DETERMINATION AND FIND THAT THE PROPOSED FACILITY IS A "FEATURE

SHOWN" OF THE COMPREHENSIVE PLAN, AS SET FORTH IN APPLICATION FS-Y01-50.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Alcorn and Wilson not present for the vote.

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FSA-62-1 - AT&T WIRELESS - 8751 Richmond Highway

Commissioner Byers MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DIRECTOR'S DETERMINATION THAT THE MODIFICATIONS PROPOSED BY AT&T, TO BE LOCATED AT 8751 RICHMOND HIGHWAY, ARE IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND RECOMMEND THEY BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232, OF THE *CODE OF VIRGINIA*.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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S01-CW-1CP - OUT-OF-TURN PLAN AMENDMENT (Telegraph Road - Decision Only)

(The public hearing on this item was held on May 9, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF S01-CW-1CP, OUT-OF-TURN PLAN AMENDMENT, AS OUTLINED IN ATTACHMENT 1 OF THE STAFF REPORT AND AS MODIFIED BY MY PROPOSED CHANGES DATED MAY 16, 2002 AND ATTACHED.

Commissioner Koch seconded the motion which carried by a vote of 7-0-4 with Commissioners Byers, Hall, Moon and Murphy abstaining; Commissioner Alcorn not present for the vote.

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FSA-D96-50-1 - AT&T WIRELESS - 7305M Idylwood Road

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-D96-50-1.

Commissioner Byers seconded the motion which carried unanimously.

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ZONING ORDINANCE AMENDMENT (Front Yard Paving) (Decision Only)

(The public hearing on this item was held on April 25, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Moon MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE PROPOSED ZONING ORDINANCE AMENDMENT ON VEHICLE PARKING IN FRONT YARDS FOR SINGLE FAMILY DETACHED DWELLINGS BE APPROVED, SUBJECT TO THE PROVISIONS CONTAINED IN THE HANDOUT DATED MAY 29, 2002.

Commissioner Byers seconded the motion which carried by a vote of 11-0-1 with Commissioner de la Fe abstaining.

Commissioner Moon MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO REQUEST STAFF TO PREPARE A ZONING ORDINANCE AMENDMENT THAT WOULD REDUCE THE APPLICATION FEE FOR A VARIANCE REQUEST FROM THIS NEW PROVISION FROM THE CURRENT FEE OF \$1485 TO \$165 WHICH IS CONSISTENT WITH THE VARIANCE APPLICATION FEES FOR MOST OTHER TYPES OF RESIDENTIAL DISTRICT VARIANCES.

Commissioners Wilson and Byers seconded the motion which carried unanimously.

Commsisioner Moon MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO REQUEST STAFF TO PREPARE A ZONING ORDINANCE AMENDMENT WHICH CLARIFIES THAT THE PROVISION THAT REQUIRES OFF-STREET PARKING SPACES THAT ARE LOCATED ON THE GROUND AND ARE OPEN TO THE SKY TO BE LOCATED NO NEARER THAN TEN FEET TO ANY FRONT LOT LINE IS NOT APPLICABLE TO RESIDENTIAL DEVELOPMENTS.

Commissioner Byers seconded the motion which carried unanimously.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. RZ-2001-MA-049 - SEVILLE HOMES, LLC  
FDP-2001-MA-049 - SEVILLE HOMES, LLC
2. SEA-97-Y-002 - CHANTILLY ASSOCIATES  
PCA-1997-SU-002 - CHANTILLY ASSOCIATES LLC

3. SE-01-M-041 - KFC OF AMERICA, INC.
4. 2232-P02-11 - TYSONS FIREHOUSE, LLC, AND DPWES

This order was accepted without objection.

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RZ-2001-MA-049/FDP-2001-MA-049 - SEVILLE HOMES, LLC  
- Appls. to rezone from C-2, R-2, HC & SC to PDH-5, HC & SC to permit residential development at a density of 4.85 du/ac & approval of the conceptual & final development plans on property located in the N.E. & S.E. quadrants of the intersection of Evergreen Lane & Alpine Dr. on approx. 2.68 ac. Comp. Plan Rec: 4-6 du/ac at Overlay Level. Tax Map 71-2((2))27-29; 71-2((4))4-6. MASON DISTRICT. PUBLIC HEARING.

Mr. Reid Dudley, with Runyon, Dudley Associates, engineers for the applicant, reaffirmed the affidavit dated April 30, 2002. There were no disclosures by Commission members.

Mr. William Mayland, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Dudley noted that a new set of proffers had been submitted to address staff's concerns and that the proposed development was in accord with the recommendations of the Comprehensive Plan. He spoke about the applicant's work with citizens in the area regarding the proposed streetscape design and with the Virginia Department of Transportation (VDOT) regarding improvements on Evergreen Lane and Alpine Drive. Mr. Dudley explained that the applicant proposed 12 homes, resulting in a density of 4.47 dwelling units per acre, and that the question of whether a large magnolia tree on the property could be saved could not be finally answered until final engineering work was completed. He explained that all tree save efforts would be coordinated with the County's Urban Forester.

In response to questions from Commissioner Byers about vegetation between the homes, Mr. Dudley stated that grass and plants specifically adapted to thrive in the shade would be used in those areas.

Mr. Mayland and Mr. Dudley responded to questions from Commissioner Hall regarding road improvements and from Commissioner Byers regarding streetscape standards, especially as they related to the area in front of Lots 8 and 9. Mr. Dudley added that VDOT was aware of the applicant's plans to plant deciduous flowering trees in the proposed right-of-way dedication.

Mr. Dudley responded to a question from Commissioner Smyth regarding stormwater management.

Chairman Murphy called for speakers and recited the rules for public testimony.

Ms. Ann Mendum, 6929 Alpine Drive, Annandale, representing the Wynfield Homeowners Association, supported the applicant's plans and expressed her hope that the large magnolia tree could be saved.

Mr. Charles Wroblewski, 4357 Greenberry Lane, Annandale, representing the Evergreen Heights Community Association, also supported the application.

There being no further speakers, Chairman Murphy asked Mr. Dudley if he wished to rebut.

Mr. Dudley did not, but commented that the applicant would work with staff to devise a manner to clearly mark the front yards so that future residents would know where their front yard ended and the VDOT right-of-way began.

Mr. Mayland responded to questions from Commissioner Harsel regarding the limits of clearing and grading; from Commissioner Smyth regarding the stormwater management plans; from Commissioner Moon regarding driveways; and from Commissioner Alcorn about landscaping between the houses.

There being no further comments or questions from the Commission and Mr. Mayland having no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Hall for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Hall MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE RZ-2001-MA-049, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 29, 2002.

Commissioner Byers seconded the motion which carried by a vote of 10-0-1 with Commissioner Moon abstaining; Commissioner Wilson not present for the vote.

Commissioner Hall MOVED TO APPROVE FDP-2001-MA-049, SUBJECT TO THE FINAL DEVELOPMENT PLAN CONDITIONS DATED MAY 22, 2002 AND THE BOARD'S APPROVAL OF RZ-2001-MA-049.

Commissioner Byers seconded the motion which carried by a vote of 10-0-1 with Commissioner Moon abstaining; Commissioner Wilson not present for the vote.

Commissioner Hall MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE A MODIFICATION OF THE FRONTAGE IMPROVEMENTS FOR ALPINE

DRIVE IN ACCORDANCE WITH THE CONCEPTUAL AND FINAL DEVELOPMENT PLANS.

Commissioner Byers seconded the motion which carried by a vote of 10-0-1 with Commissioner Moon abstaining; Commissioner Wilson not present for the vote.

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SEA-97-Y-002 - CHANTILLY ASSOCIATES, INC. - Appl. under Sect. 9-501 of the Zoning Ord. to amend SE-97-Y-002 previously approved for a quick service food store, car wash & service station to permit site modifications on property located at 5000 Westone Plaza on approx. 1.16 ac. zoned I-5, SC & WS. Tax Map 44-3((6))21D. (Concurrent w/PCA-1997-SU-002.) SULLY DISTRICT.

PCA-1997-SU-002 - CHANTILLY ASSOCIATES, INC. - Appl. to amend the proffers for RZ-1997-SU-002 to permit a quick service food store, car wash & service station w/an overall FAR of 0.06 on property located on the E. side of Stonecroft Blvd., approx. 400 ft. S. of Westfields Blvd. on approx. 1.16 ac. zoned I-5, SC & WS. Comp. Plan Rec: Retail. Tax Map 44-3((6)) 21D. (Concurrent w/SEA-97-Y-002.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Mr. James McCormack, with Burgess and Niple, engineers for the applicant, reaffirmed the affidavit dated April 18, 2002. There were no disclosures by Commission members.

Ms. Denice Thomas, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. McCormack noted that the existing approved uses were a quick service food store, a car wash, and service stations and that the applicant proposed to increase the size of the building and add two gasoline dispensers. He explained that the changes were needed to accommodate a new owner as a result of a corporate merger and that the applicant concurred with the proposed development conditions. He added that the Western Fairfax County Citizens Association supported the application.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim transcript is in the date file.)

Commissioner Koch MOVED THAT WE RECOMMEND APPROVAL OF PCA-1997-SU-002, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE FOUND IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Hall seconded the motion which carried by a vote of 11-0-1 with Commissioner Byers abstaining.

Commissioner Koch MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-97-Y-002, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS FOUND IN APPENDIX 2 OF THE STAFF REPORT.

Commissioner Hall seconded the motion which carried by a vote of 11-0-1 with Commissioner Byers abstaining.

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SE-01-M-041 - KFC OF AMERICA - Appl. under Sects. 4-704 & 9-622 of the Zoning Ord. to permit a fast food restaurant w/a drive-through window & modifications/waivers in a Commercial Revitalization District on property located within the Willston Shopping Center at the N.W. corner of the intersection of Arlington Blvd. & Patrick Henry Dr. on approx. 22,671 sq. ft. of land zoned C-7, SC & CRD. Tax Map 51-3 ((18))4 pt. MASON DISTRICT. PUBLIC HEARING.

Glenn Braswell, Esquire, with Grad, Logan and Klewans, reaffirmed the affidavit dated August 14, 2002. There were no disclosures by Commission members.

Ms. Denise Thomas, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended denial due to the applicant's failure to adequately address applicable streetscape provisions and resolve pedestrian/vehicle conflicts and vehicle circulation issues.

Commissioner Hall spoke about the history of the subject property and the desire of citizens in the area to finally see this site developed with a permanent use. She noted that there had been communication problems between staff, the applicant, the citizens and herself that resulted in the application coming to the Commission prematurely. She explained that she had, at 5:40 p.m. this evening, received an 11 page e-mail from the applicant addressing staff concerns, but that she obviously had not had an opportunity to review it and therefore announced her intention to defer the decision on this application.

Ms. Thomas responded to questions from Commissioner Harsel regarding the size of a typical fast food store and how that compared to the size of this triple use proposed by the applicant.

Mr. Braswell commented on the communication problems. He noted that his client had met with various citizen groups and that the 11-page e-mail was in response to issues raised at a meeting held just last night. He disputed staff's assertion that the applicant's proposal did not meet the streetscape standards and offered to work with staff to resolve outstanding issues, but suggested that perhaps a third party mediator would be needed.

Commissioner Hall interrupted Mr. Braswell's presentation to suggest that he and the applicant's other representatives meet with staff to discuss the points addressed in the 11-page e-mail and when the differences had been reduced to a manageable level, she would be happy to join the discussion to iron out the final details.

Mr. Braswell continued his presentation. He explained that this application was necessary because of the request for a drive-through window and that otherwise, the uses would be allowed by right. He stated that there would be a maximum of three fast food operations in the building, a Kentucky Fried Chicken, a Taco Bell, and a third as yet undetermined. Mr. Braswell asked that the Commission recommend approval of this application, with the understanding that a lot of the site plan development issues would be resolved during the final engineering stage of the process, rather than expect the applicant to commit now to the exact location of every single bush. He felt that some of the issues raised by staff fell into that category and were beyond the applicant's control at this point. Mr. Braswell concurred with the proposed development conditions, with the exception of Condition 18 regarding the pro-rata contribution for a traffic signal, which he said needed to be clarified.

Mr. Braswell responded to questions from Commissioner Murphy regarding the interior design, including the food preparation area, the menu boards, entrances, and vehicle stacking spaces.

In response to a question from Commissioner Hall, Ms. Kristen Abrahamson, RZ/SE Branch Chief, ZED, DPZ, explained that Condition 18 was requested by the Virginia Department of Transportation (VDOT). She added that VDOT was working with another applicant in the area who would contribute the majority of the necessary funds and that staff could not be certain what the applicant's share would be.

Commissioner Byers noted that Condition 18 also included a statement that the issuance of the non-residential use permit was contingent upon installation of the traffic signal. He commented that it seemed unfair to hold this applicant to that restriction when the installation of the signal was beyond its control. Ms. Abrahamson acknowledged that the conditions needed revisions.

Commissioner Alcorn encouraged the applicant to provide as much detail as possible in the development plan.

Ms. Abrahamson, Mr. Braswell and Mr. Mark Joyce, with Bohler Engineering, engineers for the applicant, responded to questions from Commissioners Wilson, Harsel and Byers regarding traffic and pedestrian circulation patterns.



Ms. Abrahamson responded to questions from Commissioner Harsel regarding parking in the shopping center and from Commissioner Hall regarding the interparcel connection referred to in Condition 19.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no further comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Hall for a deferral motion. (A verbatim transcript is in the date file.)

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Commissioner Hall MOVED THAT WE DEFER DECISION UNTIL A DATE CERTAIN OF JUNE 13, 2002, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Koch not present for the vote.

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2232-P02-11 - TYSONS FIREHOUSE LLC AND DPWES - Appl.  
under provisions of Sects. 15.2-2204 & 15.2-2232 of the *Code of Virginia*, as amended, to lease & use a 0.83 ac. portion of the Tysons Fire Station property, located at 1560 Spring Hill Road, for either a commercial parking site, a mini-storage facility, or a vehicle major service establishment. Tax Map 29-3((1))57B. PROVIDENCE DISTRICT. PUBLIC HEARING.

Mr. John Howard, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Robert Young, representing Tysons Firehouse LLC, concurred with the conclusions outlined in the staff report and offered to answer any questions.

Mr. Robert Morgan, representing the Department of Public Works and Environmental Services (DPWES), agreed with Mr. Young's statements.

Mr. Morgan and Mr. David Marshall, PD, DPZ, responded to questions from Commissioner Byers regarding other examples of private use of public facilities.

Commissioner Smyth explained that a lease agreement had already been reached by the Board of Supervisors.

In response to questions from Commissioner Harsel, Mr. Marshall confirmed that the applicant would determine which of the three proposed uses would ultimately be developed.

In response to questions from Commissioner Smyth, Mr. Morgan explained that the lease referred to all three possible uses.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no further comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Smyth for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION FIND THAT THE PROPOSAL TO LEASE AND USE A 0.83-ACRE PORTION OF THE TYSONS FIRE STATION PROPERTY FOR EITHER A VEHICLE PARKING AREA, AN 11,300 SQUARE FOOT CAR MAKE READY FACILITY, OR A 10,000 SQUARE FOOT MINI STORAGE FACILITY, SATISFIES THE CRITERIA OF LOCATION, CHARACTER AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED, AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Wilson not present for the vote.

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The meeting was adjourned at 10:26 p.m.  
Peter F. Murphy, Jr., Chairman  
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins

Approved on: October 15, 2003

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Mary A. Pascoe, Clerk to the  
Fairfax County Planning Commission